

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Dennis Pelczynski, David Black,) Civil Action No.: 4:11-cv-01829-RBH
Michael Anderson, Rhodes Coman,)
Marc Nichols, Daniel Schmidt, and)
John Vinson,)
Plaintiffs,)
v.)
Orange Lake Country Club, Inc., and)
OLCC South Carolina, LLC,)
Defendants.)

)

ORDER

This matter comes before the Court on the motion of Defendants Orange Lake Country Club, Inc. and OLCC South Carolina, LLC to file certain attachments to their response to Plaintiffs' motion for attorney's fees under seal. ECF No. 113. The Court has reviewed the filings and attachments submitted on this matter. In accordance with *In re Knight Publishing Company*, 743 F.2d 231 (4th Cir. 1984), the Court grants the motion to seal on a temporary basis. Because *In re Knight* requires the Court to provide public notice of a party's request to seal and allow interested parties an opportunity to object, this order temporarily grants the motion to seal until October 28, 2013. If in the interim period any interested party wishes to object to the permanent sealing of the documents at issue, that party may file a notice of appearance and state its objections. In the event any objections are filed, the Court will schedule a hearing on the motion to seal and hear the arguments of all parties. Should no objections be filed by October 28, 2013, the temporary order will automatically convert to a permanent order to seal.

The Court considered less drastic alternatives to sealing the requested documents. The Court found that less drastic alternatives were not appropriate in this case, as the documents concern

Plaintiffs fee agreements with their counsel. The Court has independently reviewed the documents in camera and concludes that the documents do not lend themselves to selective redaction.

The Court finds persuasive the arguments of counsel in favor of sealing the documents and rejecting the alternatives. The documents contain confidential information regarding Plaintiffs' legal representation in this matter. The Court notes that the litigants' interest in nondisclosure of such proprietary information outweighs the public's right to access to these documents. *See May v. Medtronic Inc.*, No. CA 6:05-794-HMH, 2006 WL 1328765, *1 (D.S.C. May 15, 2006). The confidential and sensitive nature of the information in the documents at issue requires that the documents be sealed. Therefore, the Court **GRANTS** Defendants' motion to seal (ECF No. 113) in accordance with the limitations stated herein.

IT IS SO ORDERED.

s/ R. Bryan Harwell

R. Bryan Harwell
United States District Judge

Florence, South Carolina
October 21, 2013